

10-12-01

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10/10/01

UTILITY PATENT APPLICATION TRANSMITTAL <small>Only for nonprovisional applications under 37 CFR § 1.53(b))</small>	Attorney Docket No. 500582.12 First Inventor or Application Identifier Jerry S. Powell Title HUMAN ERYTHROPOIETIN GENE: HIGH LEVEL EXPRESSION IN STABLE TRANSFECTED MAMMALIAN CELLS Express Mail Label No. EL 872037917 US
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 jc931 U.S. PTO
 10/10/01
 09/97
 10/10/01
APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

- | | |
|---|---|
| 1. <input checked="" type="checkbox"/> Fee Transmittal Sheet
<small>(Submit an original and a duplicate for fee processing)</small> | 7. <input type="checkbox"/> CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix) |
| 2. <input checked="" type="checkbox"/> Applicant(s) Claim(s) Small Entity Status | 8. <input checked="" type="checkbox"/> Nucleotide and/or Amino Acid Sequence Submission
<small>(if applicable, all necessary)</small> <ul style="list-style-type: none"> a. <input type="checkbox"/> Computer-Readable Form (CRF) b. <input checked="" type="checkbox"/> Specification Sequence Listing on: <ul style="list-style-type: none"> i. <input type="checkbox"/> CD-ROM or CD-R (2 copies); or ii. <input checked="" type="checkbox"/> paper c. <input checked="" type="checkbox"/> Statement verifying identity of above copies |
| 3. <input checked="" type="checkbox"/> Specification [Total Pages]
<small>(preferred arrangement set forth below)</small> <div style="border: 1px solid black; padding: 2px; display: inline-block; width: 40px; text-align: center;">14</div> | 9. <input type="checkbox"/> Certification Under 35 U.S.C. 122(b)(2)(B)(i) |
| - Descriptive Title of the Invention | 10. <input type="checkbox"/> Assignment Papers (cover sheet & document(s)) |
| - Cross References to Related Applications | 11. <input checked="" type="checkbox"/> 37 CFR 3.73(b) Statement
<small>(when there is an assignee)</small> <div style="display: inline-block; vertical-align: middle;"> <input checked="" type="checkbox"/> Power of Attorney </div> |
| - Statement Regarding Fed sponsored R & D | 12. <input type="checkbox"/> English Translation Document (if applicable) |
| - Reference to Microfiche Appendix | 13. <input checked="" type="checkbox"/> Preliminary Amendment Total Pages <u>10</u> |
| - Background of the Invention | 14. <input checked="" type="checkbox"/> Return Receipt Postcard |
| - Brief Summary of the Invention | 15. <input type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449 <div style="display: inline-block; vertical-align: middle;"> <input type="checkbox"/> Copies of IDS Citations </div> |
| - Brief Description of the Drawings (if filed) | 16. <input type="checkbox"/> Certified Copy of Priority Document(s)
<small>(if foreign priority is claimed)</small> |
| - Detailed Description | 17. <input checked="" type="checkbox"/> Other: <u>Certificate of Express Mail
Check
General Authorization</u> |
| - Claim(s) | |
| - Abstract of the Disclosure | |
| <input checked="" type="checkbox"/> Drawing(s) (35 USC 113) [Total Sheets] | <div style="display: inline-block; vertical-align: middle; border: 1px solid black; padding: 2px; width: 40px; text-align: center;">3</div> |
| <input checked="" type="checkbox"/> Oath or Declaration [Total Pages] | <div style="display: inline-block; vertical-align: middle; border: 1px solid black; padding: 2px; width: 40px; text-align: center;">3</div> |
| a. <input type="checkbox"/> Newly executed (original or copy) | |
| b. <input checked="" type="checkbox"/> Copy from a prior application (37 CFR 1.63(d))
<small>(for continuation/divisional with Box 18 completed)</small> | |
| i. <input type="checkbox"/> <u>DELETION OF INVENTOR(S)</u>
<small>Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b)</small> | |
| <input checked="" type="checkbox"/> Application Data Sheet (37 C.F.R. 1.76) | |

18. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information below and in a preliminary amendment

Continuation Divisional Continuation-In-Part (CIP) of prior Application No.: 08/466,412 Filed June 6, 1995

Prior application information: Examiner James Martinell Group / Art Unit 1633

Incorporation By Reference (useable if box 5b is checked)
 The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 5b, is considered to be part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

CORRESPONDENCE ADDRESS

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Customer No. 27,076TYPED or PRINTED NAME Mark W. Roberts, Ph.D.REGISTRATION NO. 46,160SIGNATURE Mark W. RobertsDate Oct 10, 2001

FEE TRANSMITTAL SHEET (FOR FY 2001)

Complete if Known

Express Mail No.	EL 872037917 US
Filing Date	Concurrently Herewith
First Named Inventor	Jerry S. Powell
Group Art Unit	Not Yet Assigned
Examiner	Not Yet Assigned
Atty. Docket Number	500582.12

METHOD OF PAYMENT (Check One)

1. The Commissioner is hereby authorized to charge any additional fee required under 37 C.F.R. §§ 1.16 and 1.17 and 1.136(a)(3) and credit any over payments to Deposit Account No.: 50-1266; Deposit Account Name: DORSEY & WHITNEY LLP

2. Check Enclosed

FEE CALCULATION

1. BASIC FILING FEE

Large Entity		Small Entity		<u>Fee Description</u>
<u>Fee Code</u>	<u>Fee (\$)</u>	<u>Fee Code</u>	<u>Fee (\$)</u>	
101	740	201	370	<input checked="" type="checkbox"/> Utility Filing Fee
106	330	206	165	<input type="checkbox"/> Design Filing Fee
108	740	208	370	<input type="checkbox"/> Reissue Filing Fee
114	160	214	80	<input type="checkbox"/> Provisional Filing Fee
		Subtotal (1)		\$ 370

2. EXTRA CLAIM FEES

Current Claims	Prior	Extra	Fee	Fee Paid
Total	30	- 20	= 10	x \$ 9 = \$ 90
Ind.	6	- 3	= 3	x \$ 42 = \$ 126
Multiple Dependent Claims			x \$	= \$
				Subtotal (2) \$ 216

Large Entity		Small Entity		<u>Fee Description</u>
<u>Fee Code</u>	<u>Fee (\$)</u>	<u>Fee Code</u>	<u>Fee (\$)</u>	
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent Claim
109	80	209	40	Reissue independent claims over original patent
110	18	210	9	Reissue claims in excess of 20 and over original patent

3. ADDITIONAL FEES

Large Entity		Small Entity			
<u>Fee Code</u>	<u>Fee (\$)</u>	<u>Fee Code</u>	<u>Fee (\$)</u>	<u>Fee Description</u>	<u>Fee paid</u>
105	130	205	65	Surcharge - Late filing fee or oath	\$
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	\$
139	130	139	130	Non-English specification	\$
147	2,520	147	2,520	For Filing a Request for Reexamination	\$
115	110	215	55	Extension for reply within first month	\$
116	400	216	200	Extension for reply within 2 nd month	\$
117	920	217	460	Extension for reply within 3 rd month	\$ 460
118	1,440	218	720	Extension for reply within 4 th month	\$
128	1,960	280	980	Extension for reply within 5 th month	\$
120	320	220	160	Filing a brief in support of an appeal	\$
121	280	270	140	Request for oral hearing	\$
148	110	248	55	Terminal Disclaimer Fee	\$
140	110	240	55	Petition to revive – unavoidable	\$
141	1,280	241	640	Petition to revive – unintentional	\$
142	1,280	242	640	Utility/Reissue issue fee (+ advance copies)	\$
143	460	243	230	Design issue fee (+ advance copies)	\$
122	130	122	130	Petitions to the Commissioner	\$
123	50	123	50	Petitions related to provisional applications	\$
126	180	126	180	Submission of IDS	\$
581	40	81	40	Recording each patent assignment per property (times number of properties)	\$
179	740	279	370	Request for Continued Examination (RCE)	\$
		Other fee (specify)			
				Subtotal (3)	
				\$ 460	

Total Amount of Payment: **\$ 1,046**

Submitted by:

Name: Mark W. Roberts, Ph.D. Reg. No.: 46,160

Telephone: (206) 903-8728

Signature: 

Date: Oct 10, 2001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Jerry S. Powell

Attorney Docket No.: 500582.12

Filed : October 10, 2001

Title : HUMAN ERYTHROPOIETIN GENE: HIGH LEVEL EXPRESSION IN STABLY
TRANSFECTED MAMMALIAN CELLS**CERTIFICATE OF MAILING BY "EXPRESS MAIL"**

Box Patent Application
Commissioner of Patents
Washington, D.C. 20231

Sir:

I hereby certify that the enclosures listed below are being deposited with the United States Postal Service "EXPRESS MAIL Post Office to Addressee" service under 37 C.F.R. § 1.10, Mailing Label Certificate No. EL872037917US, on October 10, 2001, addressed to Box Patent Application, Commissioner of Patents, Washington, DC 20231.

Respectfully submitted,

DORSEY & WHITNEY LLP



/ for West Courier

MWR:sj

Enclosures:

- Postcard
- Check
- Form PTO/SB/05
- Application Data Sheet
- Fee Transmittal Sheet (+ copy)
- General Authorization
- Preliminary Amendment (and Petition for Extension of Time)
and Sequence Listing on Paper and Diskette
- Copy of Specification, Claims, Abstract (14 pages)
- Copy of 3 Sheets of Drawings (Figures 1A-3)
- Copy of Declaration and Power of Attorney
- Copy of Revocation and Power of Attorney
- Declaration Verifying Sequence Listing